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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 321st meeting
Held at Headquarters, New York, on Thursday, 21 January 2010, at 10.30 a.m.

Temporary Chairman: Mr. Ban Ki-moon ..... (Secretary-General)
Chairman: Mr. Badji ..... (Senegal)

Contents

Adoption of the agenda

Election of officers

Statement by the Secretary-General

Statement by the Chairman

Statement by the Observer for Palestine

Update on developments since the previous meeting of the Committee

The situation in the Occupied Palestinian Territory, including East Jerusalem, and political developments

Draft programme of work of the Committee

International Meeting in Support of Israeli-Palestinian Peace, Qawra, Malta, 12 and 13 February 2010

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The meeting was called to order at 10.40 a.m.

Adoption of the agenda (A/AC.183/2010/L.1)

1. *The agenda was adopted.*

Election of officers

2. **The Temporary Chairman** invited the Committee to consider nominations for the posts of Chairman, Vice-Chairmen and Rapporteur of the Committee.

3. **Ms. Rubiales de Chamorro** (Nicaragua) nominated Mr. Badji (Senegal) for re-election to the office of Chairman, Mr. Tanin (Afghanistan) for re-election and Mr. Núñez Mosquera (Cuba) for election to the two offices of Vice-Chairmen, and Mr. Borg (Malta) for re-election to the office of Rapporteur.

4. **Mr. Davies** (Sierra Leone) seconded the nominations.

5. *Mr. Badji (Senegal), Mr. Tanin (Afghanistan), Mr. Núñez Mosquera (Cuba) and Mr. Borg (Malta) were elected by acclamation.*

6. *Mr. Badji (Senegal) took the Chair.*

Statement by the Secretary-General

7. **The Secretary-General** said that intensive efforts were under way by the international community to restart the long-stalled Israeli-Palestinian peace negotiations. He supported the United States-led efforts to bring about a resumption of meaningful negotiations on all final status issues, including the security of Israelis and Palestinians, borders, refugees and Jerusalem.

8. In the absence of talks, confidence between the parties had diminished. Tensions had risen in East Jerusalem. People in Gaza and southern Israel continued to suffer from violence. If there was no progress on the political process soon, there was a risk of sliding backwards.

9. Notwithstanding the Government of Israel's decision to restrain settlement construction in the West Bank, he was concerned that settlement activity and financial support for settlement expansion continued in the West Bank and East Jerusalem. The international community had repeatedly appealed to Israel to halt settlement construction throughout the Occupied Palestinian Territory. Settlement construction violated international law and contravened the road map, under which Israel was obliged to freeze all settlement activity, including so-called "natural growth"; that was in no one's interest, least of all Israel's. Settlement activity undermined trust between the two parties, seemed to prejudge the outcome of the future permanent status negotiations, and imperilled the basis for the two-State solution.

10. In East Jerusalem, a series of worrisome events had not only stoked tensions in the city but also had the potential to endanger stability in the region. The Israeli authorities had continued to discriminate against Palestinian residents, including by ordering house demolitions and evictions and revoking identity cards. Local authorities had also announced plans to consolidate and expand settlement infrastructure.

11. It bore repeating that the international community did not recognize Israel's annexation of East Jerusalem, which remained part of the Occupied Palestinian Territory. The question of Jerusalem was a central and highly sensitive issue to be addressed by the parties in permanent status negotiations. A way must be found, through negotiations, for Jerusalem to emerge as the capital of two States living side by side in peace and security, with arrangements for the holy sites that were acceptable to all. That was the road to fulfilling the vision of Security Council resolutions and the Arab Peace Initiative.

12. In Gaza, one year after the end of the most recent round of hostilities, neither the issues that had led to the conflict nor its aftermath had been fully addressed. Very few of the key measures for stability, as identified in Security Council resolution 1860 (2009), had been implemented. Moreover, and regrettably, accountability for violations of international humanitarian and human rights law had not been adequately addressed. He called on Israel and the relevant Palestinian authorities to conduct, without delay, credible domestic investigations into the many reported allegations of serious human rights violations.

13. The grave humanitarian situation in Gaza remained of special concern to him. The amount of humanitarian and other supplies allowed in was insufficient to meet the needs of the population or to enable urgently needed reconstruction. He deeply regretted that the United Nations proposal to kick-start civilian reconstruction activity had not been approved.

He repeated his call on Israel to end its unacceptable and counterproductive blockade and to fully respect international law.

14. He was also greatly concerned about the people in southern Israel who had to live in fear of continuing Palestinian rocket and mortar fire from Gaza. He called for a complete end to violence and the targeting of Israeli civilians.

15. For 42 long years, the Palestinian people had been living under occupation. He reiterated his firm commitment to putting an end to the occupation, and to the conflict, through the creation of a State of Palestine living side by side with Israel in peace and security, and through the achievement of a comprehensive, just and lasting peace in the region. That objective would be pursued in keeping with Security Council resolutions, previous agreements, the Road Map and the Arab Peace Initiative. In the crucial period ahead, a revitalized Quartet must step up its engagement. The Committee also had a contribution to make.

Statement by the Chairman

16. **The Chairman**, speaking as the representative of Senegal, said that until a comprehensive, just and lasting solution was found to the question of Palestine, the Committee must constantly remind international opinion that, in addition to withdrawal from all the territories occupied since 1967, the demands of the Palestinian people also concerned the status of Jerusalem, the right of return of refugees, the question of settlements, the delimitation of borders, the sharing of water resources and security arrangements. It was time to face the fact that after so many years of war, including the recent and disastrous example of Operation Cast Lead in Gaza, all forms of violence were counterproductive. It was time to choose peace, through sincere dialogue taking into account the well-founded concerns of Israel to live in peace and the equally legitimate and fundamental right of the Palestinian people to live within a sovereign and independent State, with secure and internationally recognized borders, in the same conditions of peace, security and dignity. That was Senegal's constructive position as a country that maintained relations with both Israel and the State of Palestine.

17. Thirty years after the Committee's first report to the Security Council, in June 1976, it remained true that the question of Palestine lay at the heart of the problem of the Middle East. The Committee must remain active and vigilant until it had fully discharged its mandate towards Palestine, in the interests of all the people of the region. Senegal, like many Member States, would continue to work tirelessly to overcome the misgivings of those few who were still not convinced of the rightness of the Palestinian cause.

Statement by the Observer for Palestine

18. **Ms. Abdelhady-Nasser** (Observer for Palestine) expressed deep appreciation to the Secretary-General for his abiding and principled support for the Palestinian people's quest for the realization of their inalienable human rights, including their right to self-determination, and for peace and security in the region. His commitment to peace and justice for the Palestinian people had included repeated calls to address the humanitarian crisis that was being inflicted on the Palestinian civilian population in the Gaza Strip, which he had emphasized as one of the priorities of the Organization for 2010. He and his Special Representative had also made consistent calls for the opening of Gaza's border crossings for the regular flow of people and goods and for urgent reconstruction to begin, in outspoken advocacy for the Palestinian people in Gaza, who were gravely suffering from the nearly three-year Israeli blockade and from the loss, destruction and trauma caused by the Israeli military aggression of the previous winter, from which they continued to be denied the means to recover and rebuild. The Secretary-General's firm calls for the cessation of all illegal Israeli settlement activities in the West Bank, including in occupied East Jerusalem, which were seriously threatening the viability of the Territory and the prospects for achieving the two-State solution, were of equal importance. She also reiterated appreciation for the Secretary-General's role as the representative of the United Nations in the Quartet, where he was the custodian of the Charter and the relevant resolutions that constituted the foundations of the long sought peace.

19. She expressed Palestine's profound gratitude to the Committee for its unwavering support for and commitment to the realization of the inalienable rights of the Palestinian people and a just, lasting and peaceful settlement to the question of Palestine, and for its efforts over the past year to raise awareness of the ongoing plight of the Palestinian people and of the pressing need for a just resolution to the conflict. She

also reaffirmed Palestine's appreciation to the Division for Palestinian Rights for its support of the Committee's programme of work, including the organization of important international conferences that contributed to the dialogue and the search for peace and the conduct of the annual training programme for staff of the Palestinian Authority.

20. While the foundations of the peace sought by the Palestinian people and the international community and the means for achieving it were well known, what was missing was the political will and determination to uphold international law and implement United Nations resolutions and to demand compliance with them by Israel, the occupying Power, as was demanded by all Member States. The Palestinian people and their leadership appealed to all members of the international community to fulfil their obligations to uphold and ensure respect for law. That must comprise more than declarations of support, as important as they were, and must include the exertion of real, practical efforts to compel Israel to cease its grave violations and to finally commit to the objective of a just, lasting and comprehensive peace. It was high time for the international community to rise to that challenge; continuation of the current dire situation would only further deepen the conflict and suffering, with far-reaching consequences for the region and beyond. There must be a renewed commitment to exert all the necessary efforts to make 2010 the year of peace for the Palestinian and Israeli peoples.

Update on developments since the previous meeting of the Committee

21. **The Chairman** recalled the strong support accorded by the General Assembly at its sixty-fourth session to the four draft resolutions on the question of Palestine that the Committee had submitted. That support was a clear indication of the importance attached by the overwhelming majority of shares to the need to achieve a comprehensive, just and lasting settlement of the question of Palestine, based on the exercise by the Palestinian people of their inalienable rights, and also demonstrated the continued responsibility of the United Nations for the question of Palestine until it was resolved in all its aspects.

22. On 15 December 2009, the Bureau had issued a statement expressing its utmost concern about the continuing illegal settlement activities being carried out by the Government of Israel in the Occupied Palestinian Territory, including East Jerusalem. On 17 December 2009, the United Nations Special Coordinator for the Middle East Peace Process had briefed the Security Council on the situation in the Middle East, including the Palestinian question. On 20 January 2010, the Secretary-General had appointed Mr. Filippo Grandi to the post of Commissioner-General and Ms. Margot Ellis to the post of Deputy Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). He expressed the hope that the excellent cooperation between UNRWA and the Committee would continue.

The situation in the Occupied Palestinian Territory, including East Jerusalem, and political developments

23. **Ms. Abdelhady-Nasser** (Observer for Palestine) said that the situation in the Occupied Palestinian Territory, including East Jerusalem, remained critical, and the situation in the Gaza Strip was particularly dire, as a result of Israel's continued violations of international law, including international humanitarian and human rights law. Although a year had passed since Israel's military aggression against the Gaza Strip, its population remained traumatized by the brutal crimes, including war crimes, that had been perpetrated by the occupying Power. The people were still unable to rebuild their shattered lives and their society owing to Israel's illegal and immoral blockade, which it had deliberately imposed in order to collectively punish and debilitate the population. In addition to preventing reconstruction, the blockade was impeding economic recovery as restrictions on the import of essential goods remained in place and exports were completely prohibited. The already precarious socio-economic situation continued to worsen: unemployment was rampant and an ever-increasing number of persons were living in abject poverty. Health and education standards continued to decline precipitously and the condition of civilian infrastructure, including water and sanitation systems, was decaying further.

24. Her delegation once again called on the international community to take action to bring an end to the Israeli blockade. The Gaza border crossings must be reopened immediately in order to allow the unimpeded movement of persons and goods, including all humanitarian, commercial and reconstruction supplies. The international community must demand that Israel fulfil all its obligations under international

humanitarian law, including the obligation to protect the Palestinian civilian population during the protracted conflict.

25. Israel was continuing its illegal colonization campaign throughout the Occupied Palestinian Territory, particularly in and around occupied East Jerusalem, blatantly defying international calls for a halt to all settlement-building activity. It was also continuing construction of the separation wall on confiscated Palestinian lands, in violation of international law and United Nations resolutions and in defiance of the advisory opinion of the International Court of Justice regarding the legal consequences of the construction of a wall in the Occupied Palestinian Territory.

26. East Jerusalem, in particular, remained the target of a deliberate and illegal policy to alter its demographic composition and sever the city from the rest of the Occupied Palestinian Territory. As the international consensus for a two-State solution continued to solidify, Israel was accelerating its illegal attempts to consolidate control over the Holy City and artificially create an overwhelming Jewish majority there. That goal was being pursued by the transfer of Israeli settlers into occupied East Jerusalem and the expulsion of the indigenous Palestinian population through the demolition of homes, the eviction of entire families and the revocation of residency rights. In 2008 alone, Israel had revoked the Jerusalem residency rights of nearly 5,000 Palestinians, which was the highest number of residency revocations in a single year since 1967.

27. Despite numerous Security Council resolutions that demanded the cessation of settlement activities, including Israel's colonization measures in occupied East Jerusalem, Israel was continuing to breach the law with impunity, seriously undermining attempts to resume the peace process and endangering prospects for a two-State solution on the basis of the pre-1967 borders. Although the Palestinian leadership had welcomed the condemnation of Israeli settlement plans by the United States of America and the Presidency of the European Union, words alone would not be enough to stop Israel's settlement drive. Action was required to compel Israel to abide by its legal obligations and truly commit to the pursuit of a peaceful settlement. In that regard, the Palestinian leadership maintained its position that peace process negotiations could not resume as long as Israeli settlement activities continued. That position was not a condition but an obligation under international law which was in line with the core requirements for achieving the two-State solution on the basis of the relevant Security Council resolutions, the Madrid terms of reference, the Arab Peace Initiative and the Road Map.

28. The upcoming open meeting of the Security Council on the question of Palestine and the situation in the Middle East to be held on 27 January 2010 would afford an opportunity for Member States to reaffirm their commitment to upholding international law and to call for the necessary collective action. She therefore urged the broadest possible participation at that meeting in order to ensure that the question of Palestine and the urgent need to achieve a just, lasting and comprehensive settlement remained a priority on the international agenda in 2010.

29. **Mr. Núñez Mosquera** (Cuba) said that the upcoming open meeting of the Security Council would be an opportunity for Committee members to start 2010 by delivering a clear message to the international community regarding the just cause of the Palestinian people and the exercise of their inalienable rights. He called on Committee members that were not members of the Security Council to take the floor at that meeting and speak up in support of the Palestinian people. Committee members must call for an end to Israeli impunity, which was only possible because of the support of certain Governments. Just and lasting peace in Middle East could be achieved only through Israel's full withdrawal from all occupied Arab territory, an end to settlement-building, full implementation of all relevant United Nations resolutions and full respect for international law.

30. **Mr. Daou** (Mali) reaffirmed his Government's solidarity with the Palestinian people and its support for the efforts of the international community to establish a Palestinian State and achieve lasting peace in the Middle East.

31. **Mr. Carrión-Mena** (Observer for Ecuador) reiterated his delegation's full and unconditional support for the Palestinian people. His Government would do its utmost to ensure that the resolutions on Palestine were put into effect.

32. **Mr. Al-Allaf** (Observer for Jordan) said that the Committee played an important role in keeping the question of Palestine in the international spotlight. He therefore wished to thank the Secretary-General for his

support of the Committee and his personal commitment to seek a just solution to the question of Palestine. His Government wished to reiterate its unconditional support for the Palestinian people and to underscore that the question of Palestine was a high priority. With peace negotiations about to enter a new phase, he hoped that the Committee would continue to monitor the situation and update the Security Council on developments. Jordan would continue to provide humanitarian assistance to Palestinians, particularly those in Gaza.

33. **Mr. Abdelaziz** (Observer for Egypt) said that the upcoming open meeting of the Security Council was an opportunity for Member States to emphasize several key points, including the resumption of negotiations on core issues, Israeli settlement activity, the Judaization of Jerusalem, the deteriorating human rights situation in the Gaza Strip and the implementation of Security Council resolution 1860 (2009). In order to allow reconstruction to begin in the Gaza Strip, Israel must permit construction materials to flow through the Israeli-controlled border crossings, in accordance with the 2005 Agreement on Movement and Access concluded between the Government of Israel and the Palestinian Authority. His Government would continue its efforts to reconcile Palestinian factions with a view to the creation of a unified Palestinian State.

34. **Ms. Medina-Carrasco** (Bolivarian Republic of Venezuela) said that the ongoing situation in the Middle East demonstrated the absolute failure by Israel to abide by the relevant resolutions of the General Assembly and the Security Council. Venezuela was following the situation closely as the Palestinian cause was an important part of its foreign policy. Indeed, there had been high-ranking visits by Palestinian officials and meetings in pursuit of the goal of achieving peace and security for the Palestinians and for Israel, along with a recognition of the rights of the Palestinian people. However, everything seemed to point to that goal being almost unattainable. The principle of two States living side by side in safe and agreed borders was in jeopardy, but the international community could not afford to fail. The General Assembly should request the Security Council, in the framework of Chapter II of the Charter, to formulate recommendations on a modified status for Palestine, and consider the implications of one State's systematic and permanent refusal to acknowledge Security Council resolutions with the sole purpose of exterminating a people. Venezuela reiterated its support for the Palestinian people in their honourable and worthy struggle.

Draft programme of work of the Committee (A/AC.183/2010/CRP.1)

35. **The Chairman**, introducing the Committee's draft programme of work for 2010 (A/AC.183/2010/CRP.1), said that section I summarized the relevant resolutions adopted by the General Assembly at its sixty-fourth session, section II conveyed the Committee's view of the situation in the Occupied Palestinian Territory, including East Jerusalem, section III outlined the priority issues for 2010, and section IV described the planned activities of the Committee and of the Division for Palestinian Rights.

36. **Mr. Dizder** (Turkey) said that his Government planned to host an international meeting on the question of Palestine in the first half of 2010 and would work with the Committee to select an appropriate theme.

37. **Ms. Abdelhady-Nasser** (Observer for Palestine) said her delegation supported the Committee's draft programme of work and would do its utmost to ensure its success.

38. **Mr. António** (Observer for the African Union) said that the African Union also planned to host a meeting on the question of Palestine in 2010 and would provide the Committee with further information in the near future.

39. *The draft programme of work for 2010 was adopted.*

International Meeting in Support of Israeli-Palestinian Peace, Qawra, Malta, 12 and 13 February 2010

40. **The Chairman** drew attention to working paper No. 1, which set out the provisional programme for the forthcoming meeting in Qawra, Malta. The theme of the meeting would be the urgency of addressing the permanent status issues: borders, Jerusalem, settlements, refugees and water. The purpose of the meeting was to provide a forum for the exchange of views on the current state of the peace process and encourage a constructive dialogue among stakeholders

on how to create a political climate conducive to the advancement of the peace process.

41. **Mr. Borg** (Malta) said that the International Meeting in Support of Israeli-Palestinian Peace, scheduled to take place in Qawra, Malta, on 12 and 13 February 2010, was to be organized jointly with the Parliamentary Assembly of the Mediterranean based in Malta. The meeting would mark the first cooperative endeavour between the Committee and the Parliamentary Assembly, which had been established in 2006 and had recently been granted observer status by the General Assembly. Such cooperation was in keeping with the Committee's goal of strengthening the role played by parliamentarians and inter-parliamentary organizations in supporting Israeli-Palestinian peace and stability in the Mediterranean region. The meeting would give the Committee an opportunity to communicate directly with the peoples of the Mediterranean through their chosen and elected representatives and to work closely with an organization that promoted peace and stability in the Mediterranean region and supported the Middle East peace process. As the representative of the host country, he urged Committee members to encourage their parliamentarians to participate in that meeting, because their participation would help achieve an early resolution to the question of Palestine and bring about peace in the Middle East.

42. *Working Paper No. 1 was approved.*

43. **The Chairman** announced that the Committee's delegation to the International Meeting would comprise Mr. Núñez Mosquera (Cuba), Vice Chairman; Mr. Borg (Malta), Rapporteur; Mr. Mansour, Permanent Observer for Palestine; and himself.

The meeting rose at 12.25 p.m.